

**SUPREME COURT MINUTES  
FRIDAY, JULY 18, 2003  
SAN FRANCISCO, CALIFORNIA**

**S117554**

E034027 Fourth Appellate District,  
Division Two

GARCIA v. S.C. (PEOPLE)

Petition for review and application for stay denied

**S020244**

PEOPLE v. HERNANDEZ (JESUS CIANEZ)

Order filed

The finality of the opinion in the above-entitled matter is hereby further extended to and including August 29, 2003.

**S116081**

A100194 First Appellate District,  
Division Five

SIERRA CLUB v. CALIFORNIA COASTAL  
COMMISSION

Time extended to grant or deny review

to August 20, 2003

**S116191**

D039240 Fourth Appellate District,  
Division One

NORMAN v. LIFE CARE CENTERS

Time extended to grant or deny review

to August 25, 2003

**S116223**

E028592 Fourth Appellate District,  
Division Two

EVANS v. SELECT PRODUCTS COMPANY

Time extended to grant or deny review

to August 25, 2003

**S116228**

A102270 First Appellate District,  
Division Five

SMITH v. W.C.A.B. (SONOMA)

Time extended to grant or deny review

to August 26, 2003

**S116235**

D039279 Fourth Appellate District,  
Division One

PEOPLE v. GILMORE

Time extended to grant or deny review

to August 25, 2003

**S116239**

A102517 First Appellate District,  
Division Four

JENNINGS v. S.C. (U.C. REGENTS)  
Time extended to grant or deny review

to August 26, 2003

**S116302**

E031288 Fourth Appellate District,  
Division Two

DURAN v. ROBINSONS-MAY  
Time extended to grant or deny review

to August 27, 2003

**S116310**

B131210 Second Appellate District,  
Division Eight

PEOPLE v. YEPES  
Time extended to grant or deny review

to August 27, 2003

**S116358**

G028814 Fourth Appellate District,  
Division Three

WIENER v. SOUTHCOAST CHILDCARE  
Time extended to grant or deny review

to August 28, 2003

**S116364**

E032144 Fourth Appellate District,  
Division Two

BRUTOCO ENGINEERING v. S.C. (UNITED  
Time extended to grant or deny review

to August 28, 2003.

**S116365**

B151720 Second Appellate District,  
Division Four

NICKEL v. MAZDA MOTORS  
Time extended to grant or deny review

to August 28, 2003.

**S116366**

B166105 Second Appellate District,  
Division Two

DILLINGHAM-RAY WILSON v. S.C. (CITY OF  
Time extended to grant or deny review

to August 28, 2003

**S033436**

PEOPLE v. LEWIS AND OLIVER  
Extension of time granted

to August 11, 2003 to file appellant  
OLIVER'S reply brief. After that date, no

further extension will be granted. Extension granted based upon counsel Robert Myers's representation that he anticipates filing the brief by 8-11-2003.

**S044693**

PEOPLE v. WALL (RANDALL C.)  
Extension of time granted

to September 22, 2003 to file appellant's opening brief.

**S056766**

PEOPLE v. LEON (RICHARD)  
Extension of time granted

to August 14, 2003 to file appellant's opening brief. After that date, only two further extensions totaling 120 additional days will be granted. Extension granted based upon counsel Tami Buscho's representation that she anticipates filing the brief by 12-15-2003.

**S116750**

DAVIS (STANLEY BERNARD) ON H.C.  
Extension of time granted

to August 18, 2003 to file the informal response. After that date, only five further extensions totaling about 180 additional days will be granted. Extension granted based upon Deputy AG Lisa Brault's representation that she anticipates filing the document by January 16, 2004.

**S004507/S004703**

COX (MICHAEL ANTHONY) ON H.C.  
Order filed

The State Public Defender's request to augment the time for oral argument in the above-entitled matters is denied. The matters are to be argued together and each party is allotted a total of 45 minutes of argument. The State Public Defender's request to have two attorneys participate in oral argument in these matters is granted.

**Bar Misc. 4186****IN THE MATTER OF THE APPLICATION OF THE  
COMMITTEE OF BAR EXAMINERS OF THE  
STATE OF CALIFORNIA FOR ADMISSION OF  
ATTORNEYS**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO  
ORIGINAL ORDER)

**S077569****MORRIS ON DISCIPLINE**

Probation modified

Good cause having been shown, it is hereby ordered that probation in S077569 be revoked, the previously ordered stay of execution of suspension in the above-entitled matter is lifted, and **MARK MORRIS, State Bar No. 129656**, be suspended from the practice of law for four years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct and until he makes full restitution pursuant to the payment plan set forth at pages 23 through 27 of the stipulation filed August 21, 1998, that execution of the suspension be stayed, and that he be placed on probation for five years and until he completes the aforementioned restitution on condition that he be actually suspended for 12 months which shall be consecutive to the 30 months ordered in S077569 (i.e., from January 4, 2002 to January 4, 2003. **Mark Morris** is further ordered to comply with the other conditions of probation ordered by the Supreme Court in S077569 (State Bar Court Case Nos. 94-O-17096; 98-O-02690 (Cons.).)

**S098180****FUCHS ON DISCIPLINE**  
Probation modified

Good cause appearing, the period of probation imposed on **John Robert Fuchs** in S098180 is reduced from three years to two years. In addition, the requirement that **John Robert Fuchs** make restitution payments to Richard Perrillo and Keith Whiteman is terminated effective May 2, 2003. Furthermore, the conditions of probation imposed on **John Robert Fuchs** in S098180 are modified to permit him to take legal action against Richard Perrillo, Keith Whiteman or any of their prior or current counsel to remove the liens on the property of **John Robert Fuchs**.

**S100272****WEBB ON DISCIPLINE**  
Probation modified

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and it is ordered that **THOMAS CHRISTOPHER WEBB, State Bar No. 64699**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation imposed by the Supreme Court in its October 31, 2001, order in S100272 (State Bar Court Case No. 00-O-15326), subject to the modification of one probation condition as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 24, 2003. Costs are awarded to the State Bar and one-fifth of said costs shall be added to and become part of the membership fees for the years 2004, 2005, 2006, 2007 and 2008. (Bus. & Prof. Code section 6086.10.)

**S115037****MOSQUEDA ON DISCIPLINE**  
Recommended discipline imposed

It is ordered that **JOHNNY MOSQUEDA, State Bar No. 162225**, be suspended from the practice of law for four years and until he complies with the requirements of standard 1.4(c)(ii), as set forth more fully below, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and until he provides to the Probation Unit satisfactory proof of attendance at a session of the Ethics School and passage of the test given at the end of that session. **Johnny Mosqueda** is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on February 19, 2003. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

**S115038****DUNAVANT ON DISCIPLINE**  
Recommended discipline imposed: disbarred

It is hereby ordered that **JEFFREY LEE DUNAVANT, State Bar No. 181886**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S115039****CAHILL ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **JILL ANNE CAHILL, State Bar No. 168130**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S115334****BEASLEY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **ROBERT D. BEASLEY, State Bar No. 182037**, be suspended from the practice of law for two years and until he makes restitution to Scott Jaramillo or his mother (or the Client Security Fund, if appropriate) in the amount of \$2,500 plus 10% interest per annum from June 14, 2001, and furnishes satisfactory proof thereof to the Probation Unit of the State Bar, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 120 days and until he makes restitution to Scott Jaramillo or his mother (or the Client Security Fund, if appropriate) in the amount of \$2,500 plus 10% interest per annum from June 14, 2001, and furnishes satisfactory proof thereof to the Probation Unit of the State Bar, as recommended by the Hearing Department of the State Bar Court in its decision filed on February 19, 2003; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual

suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S115351**

**STARK ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **LYNNE STEFANIE STARK, State Bar No. 45991**, be suspended from the practice of law for three years and until she complies with the requirements of standard 1.4(c)(ii), as set forth more fully below, that execution of the suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for two years and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. **Lynne Stefanie Stark** is further ordered to comply with the



other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 13, 2003. It is also ordered that **Lynne Stefanie Stark** take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

**S115352****MICKLIS ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **DANIEL A. MICKLIS, State Bar No. 158515**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for 18 months and until he makes restitution to Brad and Leslie Whitehead (or the Client Security Fund, if appropriate) in the amount of \$525, and furnishes satisfactory proof thereof to the Probation Unit of the State Bar. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 20, 2003. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of

that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2004, 2005 and 2006. (Business and Professions Code section 6086.10.)

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

S115357

MANGAR ON DISCIPLINE

Recommended discipline imposed

It is ordered that **DAVID DEAN MANGAR, State Bar No. 172628**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including 120 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 21, 2003. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S115360**

CHIEN ON DISCIPLINE

Recommended discipline imposed

It is ordered that **DANIEL EDOUARD CHIEN, State Bar No. 190061**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 25, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

**S116620**

STUARTEVANT ON RESIGNATION

The voluntary resignation of **ELWOOD RALPH STURTEVANT, State Bar No. 78346**, as a member of the State Bar of California is accepted.